IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 7TH FEBRUARY 2007 / 18TH MAGHA 1928

Bail Appl..No. 693 of 2007()

CR. NO. 104 OF 2006 OF CHERTHALA EXCISE RANGE

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PETITIONER

SANUKUTTAN @ KUTTAPPI, S/O. BHASKARAN,
SALINALAYAM, WARD NO.II, KADAKKARAPPALLIL
PANCHAYATH, CHERTHALA.

BY ADV. SRI.A.N.RAJAN BABU
SMT.K.SUNITHA VINOD
SRI.P.GOPALAKRISHNAN (MVA)

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. THE EXCISE INSPECTOR,
CHERTHALA EXCISE RANGE.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO. 693 of 2007

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DATED: 07-02-2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the sole accused in Cr. No. 104 of 2006 of Cherthala Excise Range for an offence punishable under Sec. 55 (a) of the Abkari Act for having been found in possession of 1.5 liters of I.M.F.L., seeks his enlargement on bail. Petitioner surrendered on 30-1-2007.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 12-2-2007 on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-I, Cherthala, and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

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Police Station for offences punishable under Secs..... .... I.P.C., seeks his enlargement on bail. Petitioner was arrested on .....

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M..... and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

3.. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

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